

TRANSMITTAL FORM

(to be used on all correspondence after initial filing)

ATTORNEY DOCKET NO.

70017.0009USWO

U.S. APPLICATION SERIAL NO.

10/524,433

CONFIRMATION NO.

6119

FILING DATE

February 15, 2005

INVENTOR(S)

Limin LI et al.

EXAMINER

Unassigned

GROUP ART UNIT

N/A

TITLE OF APPLICATION

**MAMMALIAN GENES INVOLVED IN RAPAMYCIN RESISTANCE AND TUMORGENESIS:
RAPR6 GENES**

ADDRESS TO:

**Mailstop PCT
Commissioner for Patents
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450****ENCLOSURES**

- ☒ Transmittal Form (In Duplicate)
☒ Fee Transmittal (In Duplicate)
☒ Extension of Time Request for 4 Month(s) (In Duplicate)
☒ Filing of Declaration Under 37 C.F.R. 1.497(a) and (b)
☒ Copy of Notification of Missing Requirements
☒ Combined Declaration and Power of Attorney executed by Limin LI
☒ Combined Declaration and Power of Attorney executed by Bahman AGHDASI
☒ Preliminary Amendment
☒ Return Postcard

☒ Please charge Deposit Account No. 13-2725 in the amount of \$2,270 to cover any required fees. In the event any variance exists between this amount and the Patent Office charges for filing the above-noted documents, including any fees required under 35 CFR 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 13-2725. Further, if these papers are not considered timely filed, then a request is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

CORRESPONDENCE ADDRESS

☒ The address associated with Customer Number: **23552** OR ☐ the correspondence address below.

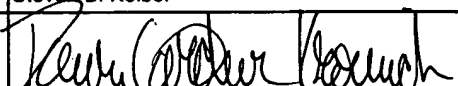
Name

Address

City

State

Zip Code

NAME	Steven B. Kelber	REGISTRATION NO.	30,073
SIGNATURE		DATE	December 7, 2005
NAME	Dawn Gardner Krosnick	REGISTRATION NO.	44,118
		TELEPHONE	202 326-0300

FEE TRANSMITTAL

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TITLE OF APPLICATION

MAMMALIAN GENES INVOLVED IN RAPAMYCIN RESISTANCE AND TUMORGENESIS: RAPR6 GENES

☐

Applicant claims small entity status. See 37 CFR 1.27.
Certain fees are reduced by 1/2.

TOTAL AMOUNT OF PAYMENT

\$2,270.00

☒ Please charge Deposit Account No. 13-2725 in the amount of \$2,270.00 to cover any required fees. In the event any variance exists between this amount and the Patent Office charges for filing the documents noted below, including any fees required under 37 CFR 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 13-2725. Further, if these papers are not considered timely filed, then a request is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed for fee processing.

The following fees have been submitted:

APPLICATION FEES

	FEE CODE	DESCRIPTION	FEE	CALCULATE
<input type="checkbox"/>	1011	Basic Filing Fee - Utility	\$300.00	
<input type="checkbox"/>	1111	Utility Search Fee	\$500.00	
<input type="checkbox"/>	1311	Utility Examination Fee	\$200.00	
<input type="checkbox"/>	1012	Basic Filing Fee - Design	\$200.00	
<input type="checkbox"/>	1112	Design Search Fee	\$100.00	
<input type="checkbox"/>	1312	Design Examination Fee	\$130.00	
<input type="checkbox"/>	1005	Provisional Application Filing Fee	\$200.00	
<input type="checkbox"/>	1014	Basic Filing Fee - Reissue	\$300.00	
<input checked="" type="checkbox"/>	1051	Surcharge - Late Filing Fee, Search Fee, Examination Fee or Oath or Dec.	\$130.00	\$130.00
<input type="checkbox"/>	1801	Request for Continued Examination	\$790.00	
<input type="checkbox"/>	1814	Terminal Disclaimer	\$130.00	
<input type="checkbox"/>	1452	Petition to Revive Unavoidably Abandoned Application	\$500.00	
<input type="checkbox"/>	1453	Petition to Revive Unintentionally Abandoned Application	\$1,500.00	
SUB TOTAL				\$ 130.00

EXTENSION OF TIME FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1251	Extension for Response Within the First Month	\$120.00	
<input type="checkbox"/>	1252	Extension for Response Within the Second Month	\$450.00	
<input type="checkbox"/>	1253	Extension for Response Within the Third Month	\$1,020.00	
<input checked="" type="checkbox"/>	1254	Extension for Response Within the Fourth Month	\$1,590.00	\$1,590.00
<input type="checkbox"/>	1255	Extension for Response Within the Fifth Month	\$2,160.00	
Credit for Extensions Previously Paid				
SUB TOTAL				\$1,590.00

APPLICATION SIZE FEES

<input type="checkbox"/> Additional Fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets or fraction thereof.				\$0.00
Total Sheets	Extra Sheets	Number of each additional 50 sheets or fraction thereof (round up to whole no.)	RATE	
0-100	/50=	0	x \$250.00 =	

DOCKET NO. 70017.0009USWO	U.S. APPLICATION SERIAL NO. 10/524,433	FILING DATE February 15, 2005
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CLAIM FEES

CLAIMS	NUMBER FILED	NUMBER PREV. PAID FOR	MAX. PAID	NUMBER OF ADD'L CLAIMS	RATE		
Total Claims	156	145	<input checked="" type="checkbox"/> 145	11	x \$50	\$550.00	\$550.00
Independent Claims	35	35	<input checked="" type="checkbox"/> 35	0	x \$200	\$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S)					+ \$360	\$0.00	
TOTAL OF ABOVE CALCULATIONS =							

APPEALS/INTERFERENCE FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1401	Notice of Appeal	\$500.00	
<input type="checkbox"/>	1402	Filing a Brief in Support of an Appeal	\$500.00	
<input type="checkbox"/>	1403	Request for oral Hearing	\$1,000.00	
SUB TOTAL			\$ 0.00	

POST-ALLOWANCE FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1501/1511	Utility/Reissue Issue Fee	\$1,400.00	
<input type="checkbox"/>	1502	Design Issue Fee	\$800.00	
<input type="checkbox"/>	1503	Plant Issue Fee	\$1,100.00	
SUB TOTAL			\$ 0.00	

TOTAL OF FEES SUBJECT TO REDUCTION FOR SMALL ENTITY STATUS			\$2,270.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			x 1.00= \$2,270.00

FEES NOT SUBJECT TO REDUCTION FOR SMALL ENTITY STATUS

POST-ISSUANCE FEES

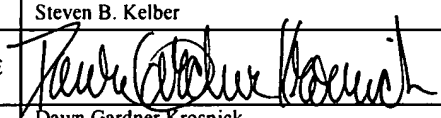
	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1811	Certificate of Correction	\$100.00	
<input type="checkbox"/>	1812	Request for Ex Parte Reexamination	\$2,520.00	
<input type="checkbox"/>	1813	Request for Inter Partes Reexamination	\$8,800.00	
SUB TOTAL			\$ 0.00	

MISCELLANEOUS FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1053	Non-English Specification	\$130.00	
<input type="checkbox"/>	1806	Submission of an Information Disclosure Statement	\$180.00	
<input type="checkbox"/>	8001	Printed Copy of Patent	0 copies x \$3.00	\$0.00
<input type="checkbox"/>	8021	Recording Assignment, Agreement or Other Paper	0 properties x \$40.00	\$0.00
<input type="checkbox"/>	1504/1505	Publication/Republication Fee	\$300.00	
SUB TOTAL			\$ 0.00	

12/12/2005 GFREY1 00000109 132/25 10524433

01 FC:1617	130.00 DA	TOTAL FEES SUBMITTED	\$2,270.00
02 FC:1615	550.00 DA		

NAME	Steven B. Kelber	REGISTRATION NO.	30,073
SIGNATURE		DATE	December 7, 2005
NAME	Dawn Gardner Krosnick	REGISTRATION NO.	44,118
TELEPHONE	202 326-0300		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING OF DECLARATION UNDER 37 C.F.R. 1.497(a) and (b)		ATTORNEY DOCKET NO. 70017.0009USWO	
		U.S. APPLICATION SERIAL NO. 10/524,433	CONFIRMATION NO. 6119
		FILING DATE February 15, 2005	
INVENTOR(S) Limin Li et al.		EXAMINER (if known) Unassigned	ART UNIT (if known) N/A
TITLE OF APPLICATION MAMMALIAN GENES INVOLVED IN RAPAMYCIN RESISTANCE AND TUMORGENESIS: RAPR6 GENES			

MAIL STOP: PCT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

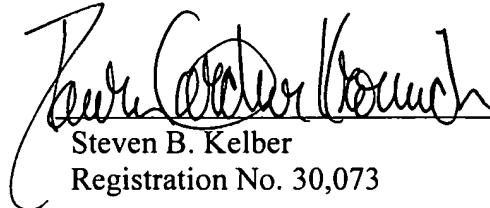
Dear Sir:

Responsive to the notification dated June 7, 2005, and in accordance with the provisions of 37 C.F.R. 1.497(a) and (b), Applicants submit herewith an executed Declaration and Power of Attorney.

In view of the foregoing, this application is deemed to be in proper condition for examination on the merits and such favorable action is earnestly solicited.

Respectfully submitted,

MERCHANT & GOULD


Steven B. Kelber
Registration No. 30,073

December 7, 2005

Date

P.O. Box 2903
Minneapolis, Minnesota 55402-0903
Telephone No. (202) 326-0300
Facsimile No. (202) 326-0778

Dawn Gardner Krosnick
Registration No: 44,118

23552

Patent & Trademark Office



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,433	Limin Li	5398-009-27 NATL

INTERNATIONAL APPLICATION NO.	
PCT/US03/26075	
IA. FILING DATE	PRIORITY DATE
08/18/2003	08/15/2002

Steven Kelber
 Piper, Marbury, Rudnick & Wolfe LLP
 1200 Nineteenth St. N.W.
 Washington, DC 20036

DAVID RUDNICK
GRAY CARY US LLP

JUN 08 2005

CONFIRMATION NO. 6119
 371 FORMALITIES LETTER
 OC000000016206096
 OC000000016206096

Date Mailed: 06/07/2005

Dec/Fees Due 8/7/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/15/2005
- Copy of the International Search Report filed on 02/15/2005
- Biochemical Sequence Diskette filed on 02/15/2005
- Biochemical Sequence Listing filed on 02/15/2005
- Request for Immediate Examination filed on 02/15/2005
- U.S. Basic National Fees filed on 02/15/2005
- Priority Documents filed on 02/15/2005
- Specification filed on 02/15/2005
- Claims filed on 02/15/2005
- Abstracts filed on 02/15/2005
- Drawings filed on 02/15/2005

MERCHANT & GOULD
RECEIVED
 JUN - 9 2005
D.C. OFFICE

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$9600** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR

1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$9730** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$ 9600**
 - **\$9600** for **317** total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,433	PCT/US03/26075	5398-009-27 NATL

TRANSMITTAL FORM

(to be used on all correspondence after initial filing)

ATTORNEY DOCKET NO.

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INVENTOR(S)

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EXAMINER

Unassigned

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RAPR6 GENES

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ENCLOSURES

- ☒ Transmittal Form (In Duplicate)
- ☒ Fee Transmittal (In Duplicate)
- ☒ Recordation Form Cover Sheet (PTO 1595) (In Duplicate)
- ☒ Assignment Document (8 pages, Executed)
- ☒ Return Postcard

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Name

Address

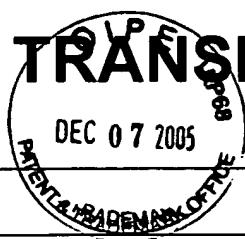
City

State

Zip Code

NAME	Steven B. Kelber	REGISTRATION NO.	30,073
SIGNATURE	<i>Steven B. Kelber</i>	DATE	December 7, 2005
NAME	Dawn Gardner Krosnick	TELEPHONE	202 326-0300
		REGISTRATION NO.	44,118

FEE TRANSMITTAL



ATTORNEY DOCKET NO. 70017.0009USWO	
U.S. APPLICATION SERIAL NO. 10/524,433	CONFIRMATION NO. 6119
FILING DATE February 15, 2005	

INVENTOR(S) Limin Li et al.		EXAMINER Unassigned	GROUP ART UNIT N/A
TITLE OF APPLICATION MAMMALIAN GENES INVOLVED IN RAPAMYCIN RESISTANCE AND TUMORGENESIS: RAPR6 GENES			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Certain fees are reduced by 1/2.		TOTAL AMOUNT OF PAYMENT \$0.00	

☒ Please charge Deposit Account No. 13-2725 in the amount of \$0.00 to cover any required fees. In the event any variance exists between this amount and the Patent Office charges for filing the documents noted below, including any fees required under 37 CFR 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 13-2725. Further, if these papers are not considered timely filed, then a request is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed for fee processing.

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<input type="checkbox"/>	1452	Petition to Revive Unavoidably Abandoned Application	\$500.00	
<input type="checkbox"/>	1453	Petition to Revive Unintentionally Abandoned Application	\$1,500.00	
SUB TOTAL				\$ 0.00

EXTENSION OF TIME FEES

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<input type="checkbox"/>	1252	Extension for Response Within the Second Month	\$450.00	
<input type="checkbox"/>	1253	Extension for Response Within the Third Month	\$1,020.00	
<input type="checkbox"/>	1254	Extension for Response Within the Fourth Month	\$1,590.00	
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Credit for Extensions Previously Paid				
SUB TOTAL				\$ 0.00

APPLICATION SIZE FEES

<input type="checkbox"/> Additional Fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets or fraction thereof.				\$0.00
Total Sheets	Extra Sheets	Number of each additional 50 sheets or fraction thereof (round up to whole no.)	RATE	
<u>0</u> -100	/50=	0	x \$250.00 =	

DOCKET NO. 70017.0009USWO	U.S. APPLICATION SERIAL NO. 10/524,433	FILING DATE February 15, 2005
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CLAIM FEES

CLAIMS	NUMBER FILED	NUMBER PREV. PAID FOR	MAX. PAID	NUMBER OF ADD'L CLAIMS	RATE		
Total Claims	0	<input checked="" type="checkbox"/>	20	0	x \$50	\$0.00	\$0.00
Independent Claims	0	<input checked="" type="checkbox"/>	3	0	x \$200	\$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S)					+ \$360	\$0.00	
TOTAL OF ABOVE CALCULATIONS =							

APPEALS/INTERFERENCE FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1401	Notice of Appeal	\$500.00	
<input type="checkbox"/>	1402	Filing a Brief in Support of an Appeal	\$500.00	
<input type="checkbox"/>	1403	Request for oral Hearing	\$1,000.00	
SUB TOTAL				\$ 0.00

POST-ALLOWANCE FEES

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<input type="checkbox"/>	1501/1511	Utility/Reissue Issue Fee	\$1,400.00	
<input type="checkbox"/>	1502	Design Issue Fee	\$800.00	
<input type="checkbox"/>	1503	Plant Issue Fee	\$1,100.00	
SUB TOTAL				\$ 0.00

TOTAL OF FEES SUBJECT TO REDUCTION FOR SMALL ENTITY STATUS			\$0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			x 1.00= \$0.00

FEES NOT SUBJECT TO REDUCTION FOR SMALL ENTITY STATUS

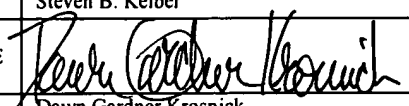
POST-ISSUANCE FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1811	Certificate of Correction	\$100.00	
<input type="checkbox"/>	1812	Request for Ex Parte Reexamination	\$2,520.00	
<input type="checkbox"/>	1813	Request for Inter Partes Reexamination	\$8,800.00	
SUB TOTAL				\$ 0.00

MISCELLANEOUS FEES

	FEE CODE	DESCRIPTION	FEE	SUBMITTED
<input type="checkbox"/>	1053	Non-English Specification	\$130.00	
<input type="checkbox"/>	1806	Submission of an Information Disclosure Statement	\$180.00	
<input type="checkbox"/>	8001	Printed Copy of Patent	0 copies x \$3.00	\$0.00
<input checked="" type="checkbox"/>	8021	Recording Assignment, Agreement or Other Paper	1 properties x \$40.00	\$40.00
<input type="checkbox"/>	1504/1505	Publication/Republication Fee	\$300.00	
SUB TOTAL				\$40.00

TOTAL FEES SUBMITTED	\$40.00
-----------------------------	----------------

NAME	Steven B. Kelber	REGISTRATION NO.	30,073
SIGNATURE		DATE	December 7, 2005
NAME	Dawn Gardner Krosnick	REGISTRATION NO.	44,118